

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By Chairman Diane Rice, on January 23, 2007 at 8:00 A.M., in Room 137 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Diane Rice, Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Ron Stoker, Vice Chairman (R)  
Rep. Douglas Cordier (D)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. George Everett (R)  
Rep. Julie French (D)  
Rep. Rick Jore (C)  
Rep. Krayton Kerns (R)  
Rep. Roger Koopman (R)  
Rep. Deborah Kottel (D)  
Rep. Tom McGillvray (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Holly Raser (D)  
Rep. John Ward (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** David Niss, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 312, HB 321, HB 310, HB 336, HB 324, 1/18/2007  
Executive Action: None

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**HEARING ON HB 312**

**Opening Statement by Sponsor:**

00:00:04 Rep. Michael Lange (R), HD 55, opened the hearing on HB 312, Amend constitution to establish parental bill of rights.

**Proponents' Testimony:**

00:15:05 Steve White, Montana Coalition of Home Educators  
00:15:33 Rachel Roberts, Montana Family Foundation  
00:16:02 Harris Himes, Montana Values Alliance  
00:16:32 Dallas Erickson, self, Montana Citizens for Decency  
Through Law

**EXHIBIT (juh15a01)**

00:17:10 Lynn Stumberg, Eagle Forum  
00:18:09 Candy Matthews-Jenkins, self  
00:19:07 Melissa Worthan, self

**Opponents' Testimony:**

00:20:04 Amanda Arnold, Montana Human Rights Network  
00:21:19 Eric Burke, MEA-MFT  
00:23:19 Linda Gryczan, League of Women Voters  
00:23:52 Steve Meloy, Executive Director, Montana Board of  
Public Education  
00:24:34 Kathy Bramer, for Linda McCullough, Superintendent of  
Public Instruction  
00:26:15 Debbie Smith, ACLU  
00:27:52 Beth Brenneman, Montana Advocacy Council  
00:29:20 Kelsen Young, Montana Coalition Against Sexual  
and Domestic Violence

**Informational Testimony:**

00:31:11 Shirley Brown, Division Administrator, Child and Family  
Services, Department of Public Health and Human  
Services

**Questions from Committee Members and Responses:**

00:31:42 Rep. Ward  
00:32:17 Ms. Brenneman  
00:33:00 Rep. Lange  
00:34:16 Rep. Gallik  
00:35:49 Rep. Lange  
00:37:26 Rep. Peterson  
00:38:11 Rep. Lange

00:39:11 Rep. Koopman  
00:40:24 Ms. Smith  
00:46:11 Ms. Arnold  
00:51:52 Rep. McGillvray  
00:52:34 Mr. Burke  
00:55:54 Rep. Raser  
00:56:53 Rep. Lange  
01:04:05 Rep. Driscoll  
01:04:21 Mr. Burke  
01:06:01 Rep. Stoker  
01:06:29 Rep. Lange  
01:07:03 Rep. Kottel  
01:07:59 Ms. Smith

**Closing by Sponsor:**

01:15:11 Rep. Lange

**HEARING ON HB 321**

**Opening Statement by Sponsor:**

01:19:19 Rep. Tom McGillvray (R), HD 50, opened the hearing on  
HB 321, Revise judicial by-pass under parental  
notification of abortion.

**EXHIBIT(juh15a02)**

**Proponents' Testimony:**

01:28:05 Greg Trude, Executive Director, Right to Life of  
Montana  
01:28:19 Susan Gliko, Montana Catholic Conference, Rachel's Hope  
Project

**EXHIBIT(juh15a03)**

01:34:37 Rachel Roberts, Montana Family Foundation  
01:34:54 Cathy Matthew-Jenkins, self  
01:39:25 Lynn Stumberg, Eagle Forum  
01:39:40 Harris Himes, Montana Values Alliance  
01:42:05 Dallas Erickson, Family Values Alliance

**Opponents' Testimony:**

01:42:45 Debbie Smith, ACLU

**EXHIBIT(juh15a04)**

01:49:50 Stacey Anderson, Public Affairs Director, Planned  
Parenthood of Montana  
01:54:16 Allison Hagen, Executive Directive, NARAL, Pro-Choice  
of Montana

01:56:01 Kelsen Young, Executive Director, Montana Coalition  
Against Sexual and Domestic Violence

**EXHIBIT(juh15a05)**

01:59:36 Beth Brenneman, Montana Advocacy Project

02:00:19 George Quintana, self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:01:07 Rep. Gallik

02:01:26 Rep. McGillvray

02:01:40 Rep. Peterson

02:03:31 Rep. Koopman

02:04:41 Rep. McGillvray

02:06:23 Rep. Ward

02:07:06 Rep. McGillvray

02:07:44 Rep. Ebinger

02:08:18 Mr. Himes

**Closing by Sponsor:**

02:10:16 Rep. McGillvray

02:14:56 Break

02:29:31 Reconvene

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**HEARING ON HB 324**

**Opening Statement by Sponsor:**

02:29:49 Rep. Diane Sands (D), HD 95, opened the hearing on HB  
324, Increase legislative candidate filing fee.

**Proponents' Testimony:**

02:32:10 Mark Simonich, Chief Deputy, Secretary of State

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:38:46 Rep. Jore

02:39:49 Mr. Simonich

**Closing by Sponsor:**

02:41:25\_\_Rep. Sands\_\_\_\_\_

**HEARING ON HB 310**

**Opening Statement by Sponsor:**

02:42:29 Rep. Ernie Dutton (R), HD 56, opened the hearing on HB 310, Authorize beneficiary deeds.

**Proponents' Testimony:**

02:49:01 Glen Oppel, Montana Association of Realtors

**Opponents' Testimony:**

02:49:34 Amy Grmoljez, Montana Bankers Association

**Informational Testimony:**

02:51:58 Jeff Buska, Administrator, Quality Financial Assessments, Department of Public Health and Human Services

**Questions from Committee Members and Responses:**

02:53:42 Rep. Kottel  
02:53:56 Rep. Dutton  
02:56:33 Ms. Grmoljez  
02:58:50 Rep. Everett  
02:59:25 Rep. Dutton  
03:01:45 Rep. Gallik  
03:02:50 Rep. Dutton  
03:02:15 Rep. Peterson  
03:02:25 Rep. Dutton  
03:10:05 Rep. McGillvray  
03:10:21 Mr. Buska  
03:12:48 Rep. Peterson  
03:13:10 Mr. Buska  
03:14:20 Rep. Kottel  
03:14:59 Mr. Buska  
03:16:10 Rep. Stoker  
03:16:22 Mr. Buska

**Closing by Sponsor:**

03:17:25 Rep. Dutton

**HEARING ON HB 336**

**Opening Statement by Sponsor:**

03:18:45 Rep. Jill Cohenour (D), HD 78, opened the hearing on HB 336, Contracted government services accountability.

**Proponents' Testimony:** None

**Opponents' Testimony:**

03:23:13 Jani McCall, Montana Children's Initiative Providers Network  
03:27:55 Jim Kembel, American Institute of Architects, Montana Chapter  
03:30:35 Charlie Briggs, Montana Community of Disabilities Association, Montana Association of Rehabilitation

**Informational Testimony:**

03:36:45 Marvin Eicholtz, Director, Division of Administration, State of Montana

**EXHIBIT(juh15a06)**

03:38:33\_\_ Russ Katherman, Building Construction Division, Department of Administration, State of Montana

**Questions from Committee Members and Responses:**

03:39:43 Rep. Peterson  
03:40:29 Rep. Cohenour  
03:44:41 Rep. French  
03:45:04 Rep. Cohenour

**Closing by Sponsor:**

03:46:30 Rep. Cohenour  
03:47:48 Chairman Rice

**ADDITIONAL EXHIBITS:**

**EXHIBIT(juh15a07)**

For HB 329, Heard 1/19/07

**ADJOURNMENT**

Adjournment: 11:47 A.M.

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REP. DIANE RICE, Chairman

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PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

**EXHIBIT ([juh15aad.pdf](#))**